

Application No.: 10/740,264

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Docket No.: 251502007410

**REMARKS****Status of the Claims**

Claims 36-55, 61 and 63 are allowed pursuant to the March 30, 2005 Notice of Allowance. Applicants submit an amendment to claim 63, and new claims 64-78, pursuant to 37 C.F.R. § 1.312. The amendments submitted herein do not raise any issue not previously considered by the Examiner, do not constitute new matter, and are fully supported by the application as filed.

**Summary of Amendments Submitted under 37 C.F.R. § 1.312**

**Claim 63.** Claim 63 is amended to include bronchial hyperreactivity. Support for this amendment may be found, e.g., on page 1, line 14 of the specification as filed.

**Claim 64.** New claim 64 is dependant on allowed claim 61 and is directed to a pharmaceutical composition wherein the pharmaceutically acceptable carrier or diluent is aqueous. Support for claim 64 may be found, e.g., on page 30, lines 7-9 of the application as filed.

**Claims 65-66.** New claims 65 and 66 are dependant on allowed claim 36, and recite compounds within the scope of allowed claim 36. Support for claims 65 and 66 may be found, e.g., in Example 129 on page 70 and on page 5, lines 7-17 of the application as filed.

**Claims 67-70.** New claims 67 and 68 are dependant on allowed claim 61 and new claim 64, and recite compounds within the scope of allowed claim 36. Claims 67 and 68 recite a pharmaceutical composition comprising the compounds recited in new claims 65 and 66. New claims 69 and 70 recite a method similar to method claim 63, comprising the compounds recited in new claims 65 and 66. Accordingly, support for claims 67-70 can also be found, e.g., in Example 129 on page 70 and on page 5, lines 7-17 of the application as filed.

**Claim 71.** Newly presented independent claim 71 recites the same compound limitations as in allowed claim 61. Claim 71 is directed to a pharmaceutical composition that is prepared by mixing a compound according to allowed claim 36 with a pharmaceutically acceptable carrier or

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diluent. Accordingly, support for claim 71 may be the same as for allowed claims 36 and 61, which includes, e.g., pages 1-10 and page 26, line 15 to page 27, line 10 of the specification as filed.

Claims 72-74. Claims 72-74 are dependant on newly presented claim 71. Claim 72 recites an aqueous carrier or diluent, and claims 73 and 74 recite compounds within the scope of allowed claim 36. Accordingly, support for claim 72 may be found, e.g., on page 30, lines 7-9 of the application as filed and support for claims 73-74 may be found, e.g., in Example 129 on page 70 and on page 5, lines 7-17 of the application as filed.

Claims 75-78. Claims 75-78 recite a method comprising administration of a pharmaceutical composition according to claim 71. Claim 76 recites an aqueous carrier or diluent and claims 77 and 78 recite compound limitations. Support for these claims may, e.g., the same as for allowed claim 63 and as cited for new claims 70-73 above.

The amendments detailed above do not raise any issue not previously considered by the Examiner and are fully supported by the specification as filed. Accordingly, Applicant's respectfully request entry of this § 1.312 amendment.

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**CONCLUSION**

If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no.251502007410. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

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Respectfully submitted,

By   
Shannon Reaney

Registration No.: 52,285  
MORRISON & FOERSTER LLP  
755 Page Mill Road  
Palo Alto, California 94304-1018  
(650) 813-5744

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